

## HEARING MINUTES

Cause No: 4:19-CV-957

Style: Camelot Event Driven Fund, A Series of Frank Funds Trust v. Alta Mesa Resources, Inc. f/k/a Silver Run Acquisition Corporation II et al

Hearing Type: Discovery hearing

**Appearances:**

**Counsel**

Andrew M. Sher

**Representing**

FNY plaintiffs; Paul Burbach

Andrew J. Entwistle

FNY plaintiffs; Paul Burbach

Ira A. Schochet

Camelot Event Driven Fund

Christopher Darnell Porter

Don Dimitrievich; HPS Investment Partners, LLC

Courtney C. Whang

Don Dimitrievich; HPS Investment Partners, LLC

Matthew J. Peters

Alta Mesa Resources, Inc. and certain of its current and former officers and directors; Riverstone Holdings, Inc.

Lonnie A. Browne

Plumbers and Pipefitters National Pension Fund

Joshua K. Porter

FNY plaintiffs; Paul Burbach

Callie Danielle Crispin

FNY plaintiffs; Paul Burbach

Date: January 27, 2023

Court reporter: ERO

Time: 9:00 a.m.—9:37 a.m.

Law Clerk: L. McKinney

At the hearing, the following rulings were made as stated on the record:

The Court held a discovery hearing. The Court will not require HPS to produce the documents described by the parties in docket entry 267 as “volumes 5 and 6.” The Court concludes that the clawed-back documents discussed in docket entry 267 were properly clawed back and should be destroyed. Plaintiffs may file a formal motion to compel to preserve appellate issues. HPS’s request for fees and costs is denied without prejudice to being reasserted in further motion practice related to this dispute.

Plaintiffs may issue targeted discovery requests as discussed on the record, but those requests may not be based on the clawed-back documents discussed in docket entry 267. If Plaintiffs issue targeted discovery requests, they must explain during motion practice related to those requests why the requests do not stem from the clawed-back documents.

The Court will hold oral argument on the motions to dismiss discussed in docket entry 261. The parties will file a joint letter requesting oral argument after they have completed their briefing.